

Applicant respectfully traverses both the restriction and election requirements. However, to be fully responsive, Applicant provisionally elects, with traverse, the claims of Group I (i.e. claims 1-25) and the species of claim 5, (i.e. a substituted oxydiazole, thiadiazole, triazole peptoids, or combinations thereof). Claims 1, 2, and 5-25 read on the elected species.

A requirement for restriction/election is proper when 1) the inventions as claimed are distinct and 2) a serious burden is placed on the examiner if restriction is not required. M.P.E.P. § 803. The restriction requirement is traversed because a search and examination of all the claims would not impose a serious burden upon the Examiner. The Examiner has not shown that it would be a serious burden to prosecute all of the claims (and all of the species) of the application. According to M.P.E.P. § 803, the Examiner must provide reasons and/or examples to support the conclusion that examination of all claims is a serious burden. The Examiner, however, is silent with respect to whether examination of the claims and species together imposes a burden at all, let alone a serious burden.

CONCLUSION

In view of the foregoing remarks, Applicant respectfully requests withdrawal of the restriction and election requirements and the examination of all of the pending claims and species together.

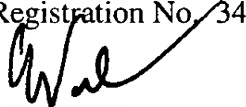
AUTHORIZATION

As this response is filed within the shortened statutory period, no fee for extension of time is believed to be due. The Commissioner, however, is hereby authorized to charge any fees which may be required for consideration of this Response, including extension-of-time fees, or credit any overpayment, to Deposit Account No. 50-0436.

Respectfully submitted,

PEPPER HAMILTON LLP

Gilberto M. Villacorta, Ph.D.
Registration No. 34,038



Edna Vassilovski
Registration No. 42,198

Date: August 6, 2001
600 Fourteenth Street, N.W.
Washington, D.C. 20005-2004
Tel: (202) 220-1200
Facsimile: (202) 220-1665
DC: #194637 v1 (466L01!.DOC)